

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE K.C. BHANU

WRIT PETITION NO : 24590 of 2004

Between:

Sk. Mahammad Basha, S/o Basha Mohiddin,
R/o D.No. 25-913, 4th Cross ,

Nethajinagar, Nellore-4.

..... PETITIONER

AND

- 1 The Chief Secretary, Government of Andhra Pradesh,
Secretariat Buildings, Hyderabad.
- 2 The Secretary, Ministry of Labour,

Government of Andhra Pradesh,
Secretariat Buildings, Hyderabad.

.....RESPONDENTS

ORDER:

Seeking a declaration that the action of the first respondent in not considering the petitioner's representation dated 26-6-2004 for establishment of a Labour Court at Nellore, as illegal and arbitrary, and consequently seeking a direction to the first respondent to consider the petitioner's representation, the present writ petition is

filed.

The facts lie in a narrow compass:

Petitioner is the President of Indo National Employees Organisation at Nellore, which is affiliated to INTUC. His case is that for adjudication of the grievances of workers in Nellore District, the Labour Court is situated at Guntur District, which is at a distance of more than 250 kilometers. Every month Labour Court, Guntur has a camp at Nellore, but the officials are not coming regularly due to which there are pending cases relating to the year 1994. Similarly, the workers of Prakasam and Chittoor districts are also facing much difficulty as the Labour Court is situated at Guntur district. Petitioner submitted a representation dated 26-6-2004 before the first respondent, but the same has not yet been considered. Hence, the present writ petition.

None appears for the petitioner. Heard the learned Government Pleader for Labour and perused the entire material available on record.

The constitution of the Courts depends upon several factors *viz.*, pendency of cases, convenience of the parties and essential requirement of its location. These are all the matters, which have to be examined by the Government in consultation with the High Court as well as the District Courts concerned, and take a decision in the interest of public at large. Mere representation itself cannot move the machinery into motion. Hence, this Court cannot invoke its jurisdiction under Article 226 of the Constitution of India.

Writ Petition is devoid of merits, and is, accordingly, dismissed. No costs.

23-09-2005

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